Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	**FCC Docket No. RM-11306**
Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Service Concerning Permitted Emissions and Control Requirements	)	
By W. Lee McVey W6EM PG-12-19879	)	
To: The Chief, Wireless Telecommunications Bureau	)	

REPLY TO THE COMMENTS OF CQ COMMUNICATIONS, INC.

The following is my reply, submitted in accordance with 47CFR§1.405(b).

The comments submitted by CQ Communications, Inc., publisher of CQ Magazine, reflect thoughtful and considerate analysis of the fundamentally flawed ARRL Petition for Rulemaking.

Their comments, unlike the ARRL petition, reflected fair and balanced consideration of the needs of amateur radio today, and in the future. I have, really, only one item within their comments that I would like to address.

Although CQ's concern about semi-automatic and fully automatic operation is correct in principle[1], their proposed alternative solution is not[2], should the Commission decide to adopt what ARRL wishes for 47CFR§221c.

First off, any automatic, *listen-before-transmit-protocol* (LBT) to be reasonably effective, it would have to be able to monitor a frequency for a minimum of, say, 10 minutes or longer before enabling transmissions, in order to be sure that a two-way communication was not already in progress on the same frequency. This is because, at any given time, and often times for lengthy periods, another station may be transmitting which cannot be heard by the digital-mode-robot receiver because of propagation conditions. If the digital mode receiver were to not have a long delay to discern if a communication were in progress, it would automatically begin its response and attempt connections that would likely interfere with ongoing communications.

[1] Comments by CQ, ¶ 13., page 6.

[2] Id. ¶ 16., page 7.

An LBT requirement is not practical, and could be easily ignored or bypassed by operators of such digital robots, in the interest of expeditiously initiating connections and attempting the pass-through of digital content. The result being widespread interference across existing bands if automatic and semi-automatic stations are permitted to operate on any frequencies they wish.

Clearly, the best solution would be to continue to segregate or even go one step further, channelize digital automatic and semi-automatic stations in a limited spectrum segment on each band where their polling and responses could take place. 47CFR§221c now requires that they restrict operations to narrow segments. Amateurs are certainly not strangers to channelized assignments on VHF and UHF bands, and now on the 60Meter Band allocation, so adherence to such a requirement would not be an unrealistic burden.

Also, in order for digital robot stations to communicate, they must select one of several agreed-to-in-advance frequencies. This present requirement offers even more justification for some form of channelization. Of course, the next revision of software may permit them to freely wonder up and down entire allocations, in search of a connection with another digital station, unless constrained.

In summation, I ask that the Commission not consider a revision of 47CFR§221c, unless it does so to further restrict and confine the operations of automatic and semi-automatic digital stations to be within limited or channelized band segments.

/s/

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